UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

URGENT LEGAL MATTER
REQUIRES PROMPT RESPONSE

FEB 2 1 2014

Dr. Eric D. Evans, Director
MIT Lincoln Laboratory
244 Wood Street
Lexington, MA 02420-9108

Re: Clean Air Act Reporting Requirement

Dear Mr. Evans:

The United States Environmental Protection Agency ("EPA") is evaluating whether the MIT Lincoln Laboratory ("MIT Lincoln Lab" or the "Facility"), located at 244 Wood Street in Lexington, Massachusetts, is in compliance with the Clean Air Act ("the Act") and regulations promulgated under the Act. These regulations include but are not limited to those that are part of the Massachusetts State Implementation Plan as well as the National Emission Standards for Hazardous Air Pollutant Emissions, Miscellaneous Organic Chemical Manufacturing ("MON NESHAP"), found at 40 CFR Part 63, Subpart FFFF, and the National Emission Standards for Hazardous Air Pollutants, Chemical Manufacturing Area Sources, found at 40 CFR Part 63, Subpart VVVVVV.

Section 114(a)(1) of the Act, 42 U.S.C. § 7414(a)(1), authorizes EPA to require any person who owns or operates any emission source to establish and maintain records, make reports, sample emissions, and provide such other information as may reasonably be required to enable EPA to determine whether a facility is in compliance with the Act and its implementing regulations.

Accordingly, within forty-five (45) days of receipt of this reporting requirement, MIT Lincoln Lab must provide the information listed in each numbered paragraph below for the Facility:

1. A schematic of all equipment with emission points (e.g. vents) at the Facility, including all lab hoods.

2. The total number of lab hoods maintained at the Facility:
   a. The name/number of each lab hood; and
   b. The name of the department(s) in which it is located.

3. The total quantity (in gallons) of materials containing volatile organic compounds ("VOCs") used in the lab hoods in 2011 and 2012.

4. The total quantity (in gallons) of materials containing hazardous air pollutants ("HAPs") used in the lab hoods in 2011 and 2012. (See the definition of HAP in Section 112(b) of the Act) as modified by 40 CFR Part 63, Subpart C).

5. The total quantity (in gallons) of materials containing VOC manifested off-site as waste in 2011 and 2012.

6. The total quantity (in gallons) of materials containing HAP manifested off-site as waste in 2011 and 2012.

7. Section 112(c)(7) of the Act defines a "research or laboratory facility" as "any stationary source whose primary purpose is to conduct research and development into new processes and products, where such source is operated under the close supervision of technically trained personnel and is not engaged in the manufacture of products for commercial sale in commerce, except in a de minimis manner." State whether the Facility meets this definition.

   a. If you believe the facility meets the above definition, provide the basis for your belief. Skip questions 8 through 11.
   b. If you believe the facility does not meet the above definition, provide responses to questions 8 through 11.

8. Total VOC emissions from the lab hoods in 2011 and 2012. Explain in detail how you conducted the calculation.

9. Total HAP emissions from the lab hoods in 2011 and 2012. Explain in detail how you conducted the calculation.

10. All "Standard Industrial Classification" ("SIC") codes and "North American Industry Classification System" ("NAICS") codes that apply to the Facility.

11. Indicate if the Facility processes, uses, or produces any of the following hazardous air pollutants:

    a. Organic Compounds
        i. 1,3-butadiene
        ii. 1,3-dichloropropene
        iii. Acetaldehyde
        iv. Chloroform
        v. Ethylene dichloride
        vi. Hexachlorobenzene
        vii. Methylene chloride
        viii. Quinoline
    b. Metals
        i. Arsenic compounds
        ii. Cadmium compounds
        iii. Chromium compounds
        iv. Lead compounds
        v. Manganese compounds
        vi. Nickel compounds
    c. Others
        i. Hydrazine

    (See Table 1 of the National Emission Standard for Hazardous Pollutants for Chemical Manufacturing at Area Sources found at 40 CFR Part 63, Subpart VVVVVV).

MIT Lincoln Lab shall submit its response to:

Susan Studlien, Director
Office of Environmental Stewardship
U.S. Environmental Protection Agency
5 Post Office Sq. Suite 100 (OES04-2)
Boston, Massachusetts 02109-3912
Attn: Tom McCusker, Air Technical Unit

Be aware that if MIT Lincoln Lab does not provide the requested information in a timely manner, EPA may order it to comply and may assess monetary penalties under Section 113 of the Act, 42 U.S.C. § 7413. Federal law establishes criminal penalties for providing false information to EPA. This letter is not subject to Office of Management and Budget review pursuant to the Paperwork Reduction Act, 44 U.S.C. Chapter 35.

You may, if desired, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 CFR § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B. Note that certain categories of information, such as emissions data, are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice. Please be aware that states may have different regulations governing the protection of confidential business information.

If you have any questions regarding this Reporting Requirement, please contact Environmental Engineer, Tom McCusker at (617) 918-1862, or have your attorney call Senior Enforcement Counsel, Thomas Olivier, at (617) 918-1737.

Sincerely,

Sam Silverman, acting for

Susan Studlien, Director
Office of Environmental Stewardship

cc: William Ryan, MIT Lincoln Lab